

ARTICLE I
EXAMINATIONS

Section 1 - Applications and Examinations

Paragraph 1. Character of Examinations:

- (a) Examinations for entrance to the Career Service shall be conducted on an open-competitive basis. Examinations, where used shall be practical and realistic in nature, shall be so constructed as to reveal the capacity of the applicant for the particular position being sought, as well as the applicant's general background and related knowledge.
- (b) The Human Resource Director may be called upon to determine factors necessary to develop an examination. The Human Resource Director and/or the hiring authority shall make all examinations realistic and job related to acquire the best qualified personnel to fill positions in the Career Service.

Paragraph 2. Notice of Examinations:

- (a) The Human Resource Director shall give public announcement of all entrance examinations at least five (5) days in advance of establishing a register and certifying therefrom. For classes of positions for which recruitment is difficult, the Human Resource Director shall conduct a positive campaign of recruitment in cooperation with the hiring authority in which every reasonable effort shall be made to attract qualified persons to compete in these examinations.
 - (1) Notice of examinations shall be prominently posted in public places throughout the City and/or County and/or the State as determined by the director. Notices may also be published in newspapers of at least city wide circulation, and provided to electronic media, educational institutions, professional and vocational societies, public officials, and such other organizations and individuals as the Human Resource Director may deem appropriate.
- (b) Public announcement of examinations shall describe the title and salary range of the class of position, the expected rate of pay upon appointment, the duties to be performed, the minimum qualifications required, the final date on which applications will be received, or whether applications will be received at any time and examinations held whenever practicable, and notice that before appointment, applicants will be required to pass a satisfactory physical examination, including mandatory drug testing.

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Paragraph 3. Residence and Citizenship:

The open-competitive examination shall, after published notice, be open to any person or persons, regardless of residence or citizenship, who are otherwise eligible.

- (a) Applicants for a position in the Career Service may not be restricted because of their relationship to a present Career Service employee unless the employment sought would violate the prohibition against nepotism as described in Section 2.62.045 of the Murray City Code.

Paragraph 4. Filing Applications:

All applications shall be made on forms prescribed by the Human Resource Director and must be filed on or prior to the closing date specified in the announcement, or postmarked before midnight of that date. Applications shall include all pertinent information regarding the applicant's training, education and experience. All applications shall be signed and dated, and by signing the application, an applicant shall be deemed to have certified that all the statements in the application are true and correct.

Paragraph 5. Disqualification of Applicants:

- (a) The Human Resource Director may refuse to examine an applicant, or after examination, may disqualify such applicant or remove the applicant's name from a register; or refuse to certify any eligible on a register if the applicant:
 - (1) is found to lack any of the basic minimum requirements established for the examination of the class of position;
 - (2) is so disabled as to be rendered unable to perform the essential functions of the job, with or without reasonable accommodations
 - (3) is a current user of illegal drugs or habitual user of intoxicating liquors to the extent that the essential functions of the job cannot be performed.
 - (4) has been convicted of any felony or other public offense which would prohibit bonding or licensing if required as a condition of employment in the position sought;
 - (5) has made a false statement of material fact in the application, or has committed fraud or deception in the examination, or in otherwise attempting to establish eligibility for appointment;

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- (6) has previously been dismissed from any public service for cause;
 - (7) has used or attempted to use political pressure, influence or bribery to secure an advantage in establishing eligibility in the examination or appointment process;
 - (8) has directly or indirectly obtained unauthorized access to information regarding examinations;
 - (9) has failed to submit an application correctly or within the prescribed time limits;
 - (10) has taken part in the compilation, administration, or correction of the examinations;
 - (11) has otherwise violated provisions of these regulations or other applicable law.
- (b) A disqualified applicant shall be promptly notified of such action, and an applicant who is not admitted to an examination because of failure to meet the minimum requirements shall be notified by letter sent to the applicant's last known address. An applicant may appeal, in writing, to the Personnel Advisory Board at any time prior to the date of the examination.

Paragraph 6. Conduct of Examinations:

Tests may be conducted in as many places as are necessary for proper administration. The Human Resource Director and/or hiring authority may designate such proctors as may be necessary to conduct examinations under prescribed instructions and may also arrange for the use of buildings or other venues in which to conduct examinations.

Paragraph 7. Rating Examinations:

- (a) The Human Resource Director or designee shall determine if each applicant meets the minimum qualifications of the job. All applicants for the same position shall be accorded uniform and equal treatment in all phases of the screening examination procedure.
- (b) The Human Resource Director or designee may be asked to develop appropriate, recognized techniques and procedures in rating the results of examinations and in determining the final scores of the competitors. In determining the system for rating results on the examination, due regard to the number of candidates and to the number of vacancies which may be reasonably expected to occur in the life of the register shall be considered.

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Paragraph 8. Rating, Training and Experience.

If training and experience comprise a factor of the total examination, the Human Resource Director or designee shall determine a procedure for the evaluation of the training and experience qualifications of the applicants. The appraisal formula shall give due regard to recency and quality as well as quantity of experience, and to the pertinence of the training. Training for experience, and experience for training may be substituted, within the limits stated in the job description.

Paragraph 9. Investigations.

Before rating training, and experience, or prior to certification from the register, the Human Resource Director or designee may investigate the applicant's training and experience to verify the statements contained in the person's application, and may require further evidence regarding the applicant's character and fitness for the position being sought. If this investigation produces information affecting the applicant's training and experience rating, the Human Resource Director or designee shall rate, or re-rate, the applicant's record accordingly, make the necessary adjustments in the register, and promptly notify the applicant of such action.

Paragraph 10. Oral Examinations:

If the hiring authority decides an oral examination is necessary for screening applicants, then an Oral Board will be assembled accordingly.

a. The oral examination board should consist of three (3) or more members, appointed by the hiring authority, who shall be known to be interested in the improvements of public administration and in the selection of efficient Career Service personnel. At least one member shall be technically familiar with the character of work in the position for which the applicant will be examined. Any person holding elected political office, or any officer or committee member of any political organization, may not serve as a member of any such examination board. If practicable, all applicants qualifying for the oral examination for the same class shall be rated by the same oral examination board.

Paragraph 11. Notice of Examination Results:

Each applicant who meets the minimum qualifications for the job shall be notified by mail by the Human Resource Department when the register is established. Each applicant who does not meet the minimum qualifications shall be notified by mail of such.

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Paragraph 12. Examination Records:

The Human Resource Director or designee is responsible for the maintenance of all records pertinent to the examination program. Applications and other necessary examination records shall be kept during the life of the register. Examination records of appointees shall be kept permanently. The examination records of other applicants who were not appointed may be destroyed thirty (30) days after the expiration of the register. All notices of changes of address shall be filed, by applicants and eligibles with the City Human Resource Department.

Section 2 - Examination Announcements

Paragraph 1.

When a register is exhausted, or is not sufficiently adequate to allow proper certification in a particular class for more than a two-month period, the Human Resource Director shall determine whether there is a need for employees in that class, and the existing applicants shall be so notified, except that applications may be received after the closing date as long as it is possible and practicable to process the applications. Changes in the positions applied for may be made on a completed application already on file with the Human Resource Department, by an employee or other applicant, for position in a current examining program.

Section 3 - Tests in Typing

Paragraph 1.

Scores in typing for open-competitive examinations may be recognized for a period of not to exceed twelve (12) months from the date of the test.

Paragraph 2.

The City Human Resource Director may recognize certificates of proficiency which have been issued by reputable schools, businesses, or other departments, when conditions of issuance are standardized, and are otherwise acceptable.

Section 4 - Veterans Preference

Paragraph 1. Definitions

"Active duty" means active military duty and does not include active duty for training, initial active duty for training, or inactive duty for training.

"Disabled veteran" means an individual who has:

- a. been separated or retired from the armed forces under honorable conditions; and
- b. established the existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a public statute administered by the federal Department of Veterans Affairs or a military department.

"Preference eligible" means;

- a. any individual who has served on active duty in the armed forces for more than 180 consecutive days, or was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated under honorable conditions;
- b. a disabled veteran with any percentage of disability;
- c. the unmarried widow or widower of a veteran;
- d. a purple heart recipient; or
- e. a retired member of the armed forces who retired below the rank of major or its equivalent.

Paragraph 2. Veteran's Preference Points

The City shall grant veteran's preference upon initial hiring to each preference eligible veteran or preference eligible spouse based on official documents certifying eligibility and according to the following procedures and requirements.

- a. The names of all persons who have obtained final passing grades in all factors of the examination, shall be placed on the register in the order of their final rating, starting with the highest.

The Human Resource Department shall add to the score of a preference eligible who receives a passing score on an examination, or any rating or ranking mechanism used in selecting an individual for any position with the City:

- a. 5% of the total possible score, if a veteran;
- b. 10% of the total possible score, if a disabled veteran or a purple heart recipient; or
- c. in the case of a preference eligible widow or widower, the same percentage the qualifying veteran would have been entitled to.

A preference eligible who applies for a position that does not require an examination, or applies for a position for which examination results are stated in terms other than a numeric score, shall be given preference in interviewing and hiring for the position.

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Any officer, agent, or representative of the city who is charged with employment of people and who willfully fail to give preference as provided herein is subject to prosecution for the commission of a misdemeanor under applicable state or federal law.

Paragraph 3. Verifying Veterans' Preference.

Preference for veterans shall be allowed to persons who submit a copy of their discharge form (DD214) prior to the application deadline date.